

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: AIRPORT

AGENDA DATE: DECEMBER 13, 2011

CONTACT PERSON NAME AND PHONE NUMBER: Monica Lombraña/780-4724

DISTRICT(S) AFFECTED: 3

SUBJECT:

That the City Manager be authorized to sign a Fourth Amendment to the Industrial Site Lease by and between the City of El Paso and LFCW, LLC, which allows a Valet Automobile Parking Lot to be a permitted use until December 25, 2012 for the following described property:

Lots 2, 3 and 4, Block 1A, El Paso International Airport Tracts, Replat of Unit 4, City of El Paso, El Paso County, Texas, commonly known and numbered as 6440 Airport Road, El Paso, Texas.

BACKGROUND / DISCUSSION:

The City and LFCW, LLC mutually agreed to extend the authorized uses of this Industrial Site Lease for property located at 6440 Airport Road and operated as Shelter Valet Parking for an additional year. This extension will enable LFCW to continue to operate the valet parking operation located on this property for the convenience of customers of the airport.

PRIOR COUNCIL ACTION:

- Airport Industrial Site Lease effective December 26, 1995
- First Amendment to Lease effective October 31, 2000
- Consent to Assignment and Amendment of Lease, effective February 13, 2003
- Third Amendment effective December 26, 2010

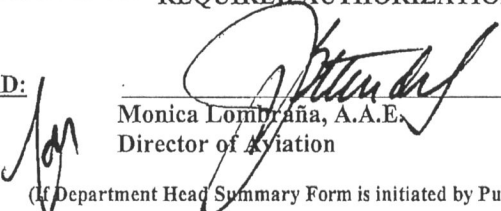
AMOUNT AND SOURCE OF FUNDING:

N/A - This is a revenue generating lease.

BOARD / COMMISSION ACTION: N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:


Monica Lombraña, A.A.E.
Director of Aviation

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)



RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a Fourth Amendment to the Industrial Site Lease by and between the City of El Paso and LFCW, LLC, which allows a Valet Automobile Parking Lot to be a permitted use until December 25, 2012 for the following described property:

Lots 2, 3 and 4, Block 1A, El Paso International Airport Tracts, Replat of Unit 4, City of El Paso, El Paso County, Texas, commonly known and numbered as 6440 Airport Road, El Paso, Texas.

APPROVED the _____ day of _____ 2011.

CITY OF EL PASO

John F. Cook
Mayor

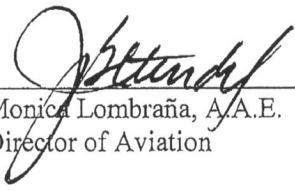
ATTEST:

Richarda Duffy Momsen
City Clerk

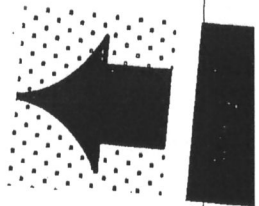
APPROVED AS TO FORM:

Theresa Cullen
Deputy City Attorney

APPROVED AS TO CONTENT:

for 

Monica Lombrana, A.A.E.
Director of Aviation



STATE OF TEXAS)
)
COUNTY OF EL PASO)

**FOURTH AMENDMENT TO
INDUSTRIAL SITE LEASE**

This Fourth Amendment to the Industrial Site Lease by and between the City of El Paso, Texas ("Lessor") and LFCW, LLC ("Lessee") is made and entered into this 13th day of December 2011.

WHEREAS, effective Dec. 26, 1995, Lessor and Airport Industrial Leasehold entered into an Industrial Site Lease (the "Lease") for the following real property:

Lots 3 and 4 and a portion of Lot 2, Block 1A, El Paso International Airport Tracts, Replat of Unit 4, City of El Paso, El Paso County, Texas, containing 186,063 sq. ft. of land more or less, commonly known and numbered as 6440 Airport Road, El Paso, Texas;

WHEREAS, on October 31, 2000, Lessor approved a First Amendment to Lease which amended Paragraph 3.11, Valet Automobile Operation Requirements, of the Lease;

WHEREAS, on February 13, 2003, Lessor approved a Consent to Assignment and Amendment of Lease which approved an assignment of the Lease to Lessee and revised the description of the Leased Premises to include an additional 20,413 square feet of land in Lot 2, Block 1A, El Paso International Airport Tracts, Replat of Unit 4, City of El Paso, El Paso County, Texas;

WHEREAS, on December 7, 2010, Lessor approved a Third Amendment to Lease which allowed a Valet Automobile Parking Lot to be a permitted use for an additional one-year period to expire December 25, 2011; and

WHEREAS, Lessee has requested that Lessor allow a Valet Automobile Parking Lot to be a permitted use for an additional one-year period,

NOW THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Article III, Paragraph 3.10, Permitted Uses, of the Lease is amended to allow a Valet Automobile Parking Lot to be operated by LFCW, LLC as a permitted use. This use is permitted until December 25, 2012. This permitted use shall not run with the land and shall only apply to LFCW, LLC, unless Lessor gives prior written approval. Lessor and Lessee acknowledge their ability to negotiate an extension of such a permitted use as well as the amount of the additional rental due during such an extension.

- IN WITNESS WHEREOF, this Fourth Amendment to the Industrial Site Lease has been approved by the parties hereto as of the dated first noted above.

Joyce A. Wilson
City Manager

Theresa Cullen
Deputy City Attorney

Monica Lombraña, A. A. E.
Director of Aviation

THE STATE OF TEXAS)
COUNTY OF EL PASO)

Notary Public, State of Texas

My Commission Expires:

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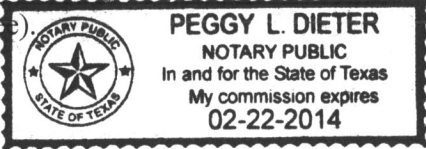
LESSEE: LFCW, LLC

By: Clinton E. Wolf
Printed Name: CLINTON E. WOLF
Title: MANAGER

ACKNOWLEDGMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 7th day of December 2011
by CLINTON E. WOLF as Manager of LFCW, LLC
(Lessee).



Peggy L. Dieter
Notary Public, State of TEXAS

My Commission Expires:
02/22/2014